

DT05 Rec'd PCT/PTO 01 OCT 2002

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#8

In re Application of

Stefan RUETZ et al

Art Unit:

Application No: 10/019,171

Examiner:

Filed:

For: APPLIANCE FOR DISPENSING SCENTS AND AN  
AROMA STORE (SCENT CHIP)

REPLY TO NOTIFICATION OF DEFECTIVE RESPONSE

Box PCT  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

In reply to the Notification mailed August 30, 2002, sheets 1-3 and 6-11 of the drawings with foreign language text properly translated into English are submitted herewith.

The Notification of Defective Response asserts that the Declaration has not been signed by Gerhard Probst and Christian Breu. The Declaration that was filed on 21 December 2001 is in four sheets and Gerhard Probst and Christian Breu are named as fourth and fifth inventors on page 4 of the Declaration and their signatures appear on page 4 of the Declaration. A copy of the Declaration that was filed on 21 December 2001 is submitted herewith.

A copy of the Notification is enclosed.

Since a Declaration signed by all five inventors was included with the items that were filed on 21 December 2001, it is believed that no surcharge for providing the Declaration later than 30 months from the priority date is required. If this is not correct, please charge Deposit Account 19-2560 in the amount of \$65 for the fee under 37 CFR 1.492(e).

Respectfully submitted,

  
John Smith-Hill  
Reg. No. 27,730

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12/30/2002 BCAMPBEL 00000004 192560 10019171

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Certificate of Mailing

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Box PCT, Assistant Commissioner for Patents, Washington, D.C. 20231, on the 28th day of September, 2002.



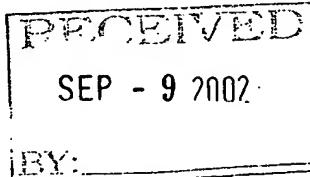
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**COPY**

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 United States Patent and Trademark Office  
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[www.uspto.gov](http://www.uspto.gov)

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/019,171	Stefan Ruetz	ZIP 2382

John Smith-Hill  
 Smith-Hill & Bedell  
 12670 N W Barner Road  
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 Portland, OR 97229



INTERNATIONAL APPLICATION NO.	
PCT/DE00/02081	
I.A. FILING DATE	PRIORITY DATE
06/23/2000	06/22/1999

CONFIRMATION NO. 1344  
 371 FORMALITIES LETTER  
  
 \*OC000000008713677\*

Date Mailed: 08/30/2002

### NOTIFICATION OF DEFECTIVE RESPONSE

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fee
- Indication of Small Entity Status
- Priority Document
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- English Translation of the IA
- Oath or Declaration
- Preliminary Amendments
- Request for Immediate Examination
- Small Entity Statement

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Translation of the application into English. The current translation of the application into English is defective as described below.
  - The text in the drawings has not been properly translated.
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
  - The following inventors are not listed and have not executed the Declaration: Gerhard Probst and Christian Breu.
- \$65 Surcharge for providing the oath or declaration later than the appropriate 30 months months from the

- priority date (37 CFR 1.492(e)) is required.

**Applicant is required to complete the response within a time limit of ONE MONTH from the date of this Notification or within the time remaining in the response set forth in the Notification of Missing Requirements, whichever is the longer. No extension of this time limit may be granted under 37 CFR 1.136, but the period for response set in the Notification of Missing Requirements may be extended under 37 CFR 1.136(a).**

**SUMMARY OF FEES DUE:**

Total additional fees required for this application is \$65 for a Small Entity:

- **\$65 Late oath or declaration Surcharge.**

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice MUST be returned with the response.*

BARBARA A CAMPBELL

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Telephone: (703) 305-3631

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/019,171	PCT/DE00/02081	ZIP 2382

FORM PCT/DO/EO/916 (371 Formalities Notice)